

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

RESILIENT FLOOR COVERING)
PENSION FUND, et al.,)
Plaintiff(s),)
v.)
M&M INSTALLATION, INC., et)
al,)
Defendant(s).)

No. C08-5561 BZ
FINAL JUDGMENT AFTER REMAND

The Court having entered an Order On Cross-Motions For Summary Judgment on January 29, 2012, **IT IS ORDERED** and

ADJUDGED :

1. That for the purpose of collecting withdrawal liability assessed against defendant M & M Installation, Inc. ("M & M"), defendant Simas Floor Co., Inc. ("Simas Floor") and M & M are alter egos, and Simas Floor is responsible for continuing to make the remaining withdrawal liability payments assessed against M & M.

2. That Plaintiffs' remaining claims for liability under
29 U.S.C. § 1392(c), and for veil piercing and successor

liability are **DISMISSED** on the merits.

3. That Simas Floor and M & M are not under common control under 29 U.S.C. § 1301(b)(1).

4. That Plaintiffs are awarded their costs of suit.

Dated: February 29, 2012

Bernard Zimmerman
United States Magistrate Judge

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